

**LAW OFFICES
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October 6, 2015

Hon A. Kathleen Tomlinson
United States District Court-E.D.N.Y
100 Federal Plaza
Central Islip, New York 11722
(via ECF unless otherwise directed)

RE: Boston v Suffolk County, Town of Smithtown et. Al
Docket No.: CV 14-5791 (ADS)(AKT)

Dear Judge Tomlinson:

Pursuant to the directives issued in the telephone conference with all counsel on October 5, 2015, I am submitting this letter on behalf of my clients, the Town of Smithtown defendants, and on behalf of Ms Spencer's clients, the Suffolk County Defendants, to identify the health care providers identified prior to Mr. Boston's September 24, 2015 deposition that have yet to provide the requested records for Mr. Boston:

FEGS Health and Human Services
320 Carleton Avenue
Suite 7800
Central Islip, New York 11722

Renee Block LCSW
3 Know Place
Dix Hills New York 11746

In addition, the defendants would like to bring to the Court's attention again and in greater detail the fact that records were requested from Steven Gordon, LCSW-R previously. Mr. Gordon is a health care professional seen by Mr Boston over a number of years for his suicidal ideations and other issues. Mr. Gordon responded both to myself and Ms Spencer with a two-page handwritten letter indicating that at the time he treated Mr Boston he was employed by FEGS and, therefore,

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does not have any records. In the event FEES does not have the records as indicated by Mr. Gordon the defendants seek provision in the Order to be issued by your Honor directing Mr. Gordon to produce said records. The address we have for Mr. Gordon is 66 Harned Road Suite 4, Commack, New York 11725

In addition, in yesterday's conference, and in the Defendant's joint status report of September 29, 2015 we addressed the fact that despite your Honor's prior directives for Plaintiff to provide HIPAA compliant authorizations for all health care providers, at the September 24th deposition Mr. Boston identified health care providers for whom or which no authorizations have ever been provided. Defendants request that the Order to be issued by your Honor also compel the following health care providers to produce their records to all defendants and their counsel immediately upon receipt of a HIPAA compliant Arons authorization from Mr. Boston.

In that regard you directed Plaintiff yesterday to provide all HIPAA compliant authorizations for all health care providers by Friday October 9th. Plaintiff could not provide complete names or addresses for these additional providers at his deposition. From independent investigation , and to assist Mr. Brill in providing the required authorizations, it appears the names and addresses are the following:

Dr. Dana Brener
48 Route 25 A
Suite 3
Smithtown, NY 11781

Dr. Sharmilee Shetty
9 Brookside Drive
Suite 1
Smithtown NY 11787

Dr. Angelina Dharan
11 Glen Road
Kings Park NY 11754

South Oaks(now affiliated with North Shore LIJ)
400 Sunrise Highway
Amityville, New York 11702

Your Honor had directed that this letter be filed via ECF but that the prior authorizations for the providers remiss in producing records be faxed to Chambers and we will be doing so along with our most recent transmittal letter advising those providers that your Honor will issue an order if they do not comply. In addition, in yesterday's conference you directed Plaintiff to produce all tax returns relating to his business from inception to dissolution in June 2015 by Friday October 9th based on Mr. Boston's testimony that he has all such records. The Defendants would also request that Plaintiff produce all records by that same date that relate to the substantial credit card debt he testified he and his wife have incurred as a result of the subject events. He testified he and/or his wife have all such records. Defendants will need those records for many reasons including the upcoming deposition of Mrs. Boston.

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We thank the Court for in advance for its time, attention to this matter, and consideration.

Respectfully yours,

Stanley E. Orzechowski

Cc: Jessica Spencer, Esq.

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